REMARKS

Claims 1-6 and 13-18 are pending in the application. Claims 7-12 and 19-24 have been cancelled without prejudice. Claims 1 and 13 are independent. Claims 1-6 and 13-18 have been amended.

Claims 1-5 and 13-17 were rejected under 35 U.S.C. § 103(a) as obvious in view of U.S. Patent No. 6,442,142 to Bar-Niv ("Bar-Niv") and U.S. Patent No. 7,058,833 to Bremer ("Bremer"). Claims 6 and 18 were rejected under 35 U.S.C. § 103(a) as obvious in view of Bar-Niv, Bremer, and U.S. Patent No. 6,678,728 to Uppunda ("Uppunda").

The applicant has amended claims 1-6 and 13-17 and respectfully traverses the rejection and requests reconsideration of the claims as amended, for the reasons noted below.

Patentability of Claims 1-6 and 13-18

Independent claim 13, as amended, recites a transceiver power consumption regulator comprising a transceiver state machine including a full-on state, a full-off state, and a pending wake-up on state, wherein the transceiver state machine is configured to "transition from the full-on state to the full-off state after failing to detect a received data signal for a period determined by a first timing circuit; transition from the full-off state to the pending wake-up on state after failing to detect a received data signal for an additional period determined by the first timing circuit; and to transition from the pending wake-up on state to the full-on state after sending out a data link signal, detecting a first received data signal in response to the data link signal within a first period determined by a second timing circuit; and detecting a second received data signal after detecting the first received data signal within a second period determined by the second signal timing circuit."

The applicant respectfully submits that the references cited by the Office in rejecting previously pending claims 1-24, whether taken alone or in any combination, fail to disclose a state machine that is configured to "transition from [a] full-off state to [a] pending wake-up on state after failing to detect a received data signal for an additional period determined by [a] first timing circuit; and to transition from the pending wake-up on state to the full-on after sending

out a data link signal, detecting a first received data signal in response to the data link signal within a first period determined by a second timing circuit; and detecting a second received data signal after detecting the first received data signal within a second period determined by the second signal timing circuit," as recited in amended and pending claim 13.

First, in rejecting then pending claims 6 and 18, the Office admitted that neither Bar-Niv nor Bremer disclose "controlling the transceiver to transmit link determination signals to devices on the communication network when the transceiver is in a power down mode." *See, Office Action at 6.* Thus, neither Bar-Niv nor Bremer disclose a state machine configured to "transition from [a] pending wake-up on state to [a] full-on state after sending out a data link signal," as recited in amended and pending claim 13. Consequently, the Office must rely on Uppunda to teach this limitation. *See, id.*

Second, Uppunda fails to disclose the conditions under which data link signals are sent, or the conditions under which signals received in response to sent data link signals will cause a transceiver to enter a fully powered on state. In particular, Uppunda fails to disclose a state machine configured to "transition from [a] pending wake-up on state to [a] full-on state after sending out a data link signal, detecting a first received data signal in response to the data link signal within a first period determined by a second timing circuit; and detecting a second received data signal after detecting the first received data signal within a second period determined by the second signal timing circuit," as recited in amended and pending claim 13. Consequently, even if the teachings of Uppunda can be combined with the teachings of Bar-Niv and Bremer as the Office suggests, the proposed combination fails to recite a state machine as recited in amended and pending claim 13. Consequently, amended claim 13 is patentable over Bar-Niv, Bremer and Uppunda, whether taken alone or in any combination, for at least this reason.

Claims 14-18 depend from and contain all the limitations of claim 13. Consequently, the applicant respectfully submits that claims 14-18 are patentable over Bar-Niv, Bremer and Uppunda, whether taken alone or in any combination, for at least the same reasons that claim 13 is patentable over those references, whether taken alone or in any combination as explained above.

Independent claim 1, as amended, recites a method for regulating transceiver power consumption by using the state machine recited in independent claim 13. Moreover, claims 2-6 depend from and contain all the limitations of claim 1. Consequently, the arguments made above regarding the patentability of claim 13 are equally applicable to the patentability of claims 1-6, and the applicant respectfully submits that claims 1-6 are patentable over Bar-Niv, Bremer and Uppunda, whether taken alone or in any combination, for at least the same reasons that claim 13 is patentable over those references, whether taken alone or in any combination as explained above.

Conclusion

Applicant respectfully submits that claims 1-6 and 13-18 are in condition for allowance, which action is kindly requested. The Examiner is invited to telephone Applicant's attorney (512-961-5320) if doing so will facilitate prosecution of this application.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as intended to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

No fees are believed to be due at this time. However, if necessary, please charge any deficiencies or credit any overpayment to Deposit Account No. 50-3521, referencing Attorney Docket No.0063-026001/BU1483.

Respectfully submitted,

Brake Hughes Bellermann LLP

/John F. Horvath Reg. No. 47,663/

Date March 30, 2010

John F. Horvath
Reg. No. 47,663